

Request for City Council Committee Action from the Department of Intergovernmental Relations

Date: February 20, 2013

To: Council Vice President Robert Lilligren; IGR Subcommittee Chair Elizabeth Glidden

Referral to: Committee of the Whole; IGR

Subject: City of Minneapolis 2013 Legislative Agenda

Recommendation: Amend the Municipal Governance: Minneapolis Supports; General Government section by adding the following bullet:

 Providing for an individual right of action for violations of prevailing wage requirements in contracts on local government projects, similar to the cause of action authorized in state law for violations of the State prevailing wage statute.

Department Information

Prepared by: IGR Staff	
Approved by Paul Aasen, City Coordinator:	
Presenters in Committee: IGR Staff	

Supporting Information

The City of Minneapolis filed an amicus brief in Caldas v. Affordable Granite Stone on behalf of employees of a contractor of the City of Minneapolis performing work on a project at the Convention Center. The City argued that the employees were intended third party beneficiaries of the contract, and thus entitled to pursue an alleged breach of the prevailing wage provision of the contract. The court did not agree and concluded that the employees had no right to claim unpaid wages. This legislative proposal will establish an individual right of action for prevailing wages claims arising from contracts on local government projects.